IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION No. 11197 of 2000

Between:

Rai Adinarayan S/o.Remulu
R/o.V.Karishnapuram Village, Dattirajeru (M)
Vizianagaram District.

..... PETITIONER

AND

1 A.P.S.R.T.C. Rep. by its's Chairman and Managing Director,
Hyderabad.
2 The Regional Manager, A.P.S.R.T.C.,
Rajarajendara Region; Vizianagaram.
3 The Depot Manager, A.P.S.R.T.C.,
Salur, Depot, Vizianagaram District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ, order or direction more especially one in the nature of Writ of Mandamus or any other appropriate writ of declaring the action of the respondents not providing alternative appointment as conductor, cleaner, parking driver or in any other suitable post/by creating supernumerary post is illegal, arbitrary under Art.14, 16 and 21 of the Constitution of India and contrary to the persons with disabilities (Equal Opportunities, protection of rights and full participation) Act, 1995 and consequently direct the respondent to appoint the petitioner in any suitable post as an alternative employment or by creating supernumerary post under the provisions of the persons with Disabilities (Equal Opportunities, protection of rights and full participation) Act, 1995.

Counsel for the Petitioner: MR.C.H.MURALI KRISHNA

Counsel for the Respondent Nos.1 to 3: MR B.G.UMADEVI

The Court made the following:

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ORDER:

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This writ petition is filed seeking a Mandamus, declaring the action of the respondents in not providing alternative employment as a Conductor/Cleaner/Parking Driver or any other suitable post, as arbitrary and illegal and violative of Artciles 14, 16 and 21 of the Constitution of India, being contrary to the provisions of the Disabilities (Equal Opprotunities, Protection of rights and Full Participation) Act, 1995 (hereinafter referred to as "the Act"), and consequently direct the respondents to appoint the petitioner in any suitable alternative employment with immediate effect.

There is no necessity to go into all other details since Under Section 47 of the Act, a Commission has been constituted and the petitioner can very well agitate the matter before the Commission.

In view of the same, without expressing any opinion on merits, the petitioner is directed to file a detailed representation before the Commission, constituted under Section 47 of the Act, within a period of two weeks from the date of receipt of a copy of this order, and on such application being filed by the petitioner, the same shall be entertained by the Commission and disposed of, as expeditiously as possible, preferably within a period of two months from the date of receipt of such application.

With the above directions, the Writ Petition is disposed of. No order as to costs.

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C.V.RAMULU,J

Dated: 13.07.2005

Dsr

ASSISTANT REGISTRAR

To:

1. The Chairman and Managing Director,

A.P.S.R.T.C, Hyderabad

2. The Regional Manager, APSRTC,

Rajarajendra Region, Vizianagaram

3. The Depot Manager, APSRTC,

Salur Depot, Vizianagaram District

4. Two CD copies

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